

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	)	
	)	<b>Criminal No.: 96-505</b>
v.	)	
	)	<b>Filed: [9-26-96]</b>
IXTLERA DE SANTA CATARINA,	)	
S.A. DE C.V. and	)	<b>15 U.S.C. § 1</b>
MFC CORPORATION,	)	
	)	<b>Judge: Kelly</b>
Defendants.	)	

INFORMATION

The United States of America, acting through its attorneys,  
charges:

I

DESCRIPTION OF THE OFFENSE

1. Ixtlera de Santa Catarina, S.A. de C.V. ("Ixtlera") and MFC Corporation ("MFC"), are made defendants on the charge stated below.

2. Beginning at least as early as January 1990 and continuing thereafter to at least April 1995, the exact dates being unknown to the United States, the defendants Ixtlera and MFC and co-conspirators entered into and participated in a combination and conspiracy to suppress and eliminate competition for the sale of tampico fiber in the United States in unreasonable restraint of interstate and foreign trade and commerce.

3. The charged combination and conspiracy consisted of a continuing agreement, understanding and concert of action among the defendants and co-conspirators, the substantial terms of

which were to fix the prices and allocate sales of tampico fiber imported into and sold in the United States.

4. For the purpose of forming and carrying out the charged combination and conspiracy, the defendants and co-conspirators did the following:

(a) discussed and agreed on prices at which tampico fiber was imported into the United States;

(b) discussed and agreed on the resale prices at which United States distributors were to sell tampico fiber; and

(c) discussed and agreed to allocate the volume of sales between United States tampico fiber distributors.

## II

### DEFENDANTS AND CO-CONSPIRATORS

5. Ixtlera is a corporation organized and existing under the laws of Mexico with offices in Santa Catarina and Monterrey, Mexico. It processes tampico fiber for sale in the United States.

6. MFC is a corporation organized and existing under the laws of the state of Texas with offices in Laredo, Texas. It is Ixtlera's exclusive distributor for tampico fiber sold in North America.

7. Various individuals and corporations, not made defendants herein, participated as co-conspirators in the offense charged and performed acts and made statements in furtherance thereof.

8. Whenever in this information reference is made to any act, deed or transaction of a corporation, the allegation means that the corporation engaged in the act, deed or transaction by or through its officers, directors, agents, employees or other representatives while they were actively engaged in the management, direction, control or transaction of its business or affairs.

### III

#### TRADE AND COMMERCE

9. Tampico fiber is a natural vegetable fiber produced by the lechuguilla plant and grown in the deserts of northern Mexico. It is harvested, processed, finished and exported worldwide, including into the United States. It is used as filling material in the production of consumer and industrial brushes.

10. During the period covered by this information, the defendants and co-conspirators shipped or caused to be shipped a substantial quantity of the tampico fiber which is the subject of this information from Mexico to United States distributors for resale to customers throughout the United States. The defendants and co-conspirators also sent or caused to be sent across state lines and into foreign countries payments for the aforesaid tampico fiber.

11. During the period covered by this information, the activities of the defendants and co-conspirators that are the subject of this information were within the flow of, and

substantially affected, interstate and foreign trade and commerce.

#### IV

##### JURISDICTION AND VENUE

12. The combination and conspiracy charged in this information was carried out, in part, within the Eastern District of Pennsylvania, within the five years preceding the filing of this information.

ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.

Dated:

\_\_\_\_\_/s/\_\_\_\_\_  
JOEL I. KLEIN  
Acting Assistant Attorney General

\_\_\_\_\_/s/\_\_\_\_\_  
EDWARD S. PANEK

\_\_\_\_\_/s/\_\_\_\_\_  
GARY R. SPRATLING  
Deputy Assistant Attorney General

\_\_\_\_\_/s/\_\_\_\_\_  
MICHELLE A. PIONKOWSKI

\_\_\_\_\_/s/\_\_\_\_\_  
ROBERT E. CONNOLLY  
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\_\_\_\_\_/s/\_\_\_\_\_  
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\_\_\_\_\_/s/\_\_\_\_\_  
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